

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose SANCHEZ-Jaramillo

Defendant.

Magistrate Case No. 4 AM 08 MJ 1121

CLERK, U.S. DISTRICT COURT

COMPLAINT FOR VIOLATION OF:

By

Title 8, U.S.C., Section 1326 DEPUTY

Deported Alien Found in the
United States

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The undersigned complainant, being duly sworn, states:

On or about **April 7, 2008**, within the Southern District of California, defendant, **Jose SANCHEZ-Jaramillo**, an alien who previously had been excluded, deported or removed from the United States to Mexico, was found in the United States without the Attorney General of the United States, or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States, in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 SIGNATURE OF COMPLAINANT

 Deportation Officer
 Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 14th DAY OF April, 2008.


 UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, United States Immigration and Customs Enforcement (ICE) Deportation Officer Jesus Robles, declare under penalty of perjury the following to be true and correct:

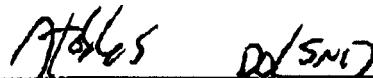
On Tuesday, April 7, 2008, San Diego Sheriff Deputy M. Webb apprehended the defendant, Jose SANCHEZ-Jaramillo, for Driving Under the Influence of Alcohol/Drugs. An Immigration Enforcement Agent placed a detainer, Form I-247, on April 7, 2008, with the San Diego County Sheriff's Department. On April 11, 2008, at approximately 4:35 a.m., the defendant was referred to the custody of United States Immigration and Customs Enforcement (ICE) at San Diego, Ca.

A Deportation Officer conducted a thorough review of the Alien Registration File and immigration computer databases. These checks identified the defendant as a citizen of Mexico who was previously deported or removed from the United States to Mexico. Information gathered from the Alien Registration File indicates the defendant was most recently ordered removed or deported from the United States by an Immigration Judge on May 27, 1997; and removed to Mexico the same day via the Otay Mesa, California, Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States lawfully.

The Automated Biometric Fingerprint Identification System (IDENT) was utilized and compared the defendant's fingerprints to those contained in this database. The results confirmed his identity as Jose SANCHEZ-Jaramillo, a citizen and national of Mexico. A photograph and a set of fingerprints contained within the official Alien Registration File were also reviewed and compared to the defendant, further confirming his identity.

All available information indicates that the defendant is a citizen of Mexico; was deported to Mexico pursuant to an order from an immigration judge; and is currently present in the United States in violation of law. Based upon the foregoing information, there is probable cause to believe that Jose SANCHEZ-Jaramillo has illegally re-entered the United States after Deportation, in violation of Title 8 of the United States Code 1326, Deported Alien Found in the United States.

EXECUTED ON THIS 11th DAY OF April, 2008, AT 6:00 P.M.



Jesus Robles
Deportation Officer

On the basis of the facts presented in the Probable Cause Statement consisting of (1) page, I find probable cause to believe that the defendant named therein committed the offense on April 7, 2008, in violation of Title 8, United States Code, Section 1326.



UNITED STATES MAGISTRATE JUDGE



4/12/08 at 11:52 am
DATE / TIME